

REMARKS

New claims 5 - 7 are added, which recite the present invention somewhat differently than original claims 1-4, and in a manner well-supported by the specification as filed.

Turning now to the issues raised in the outstanding Official Action, claims 1-4 were rejected under 35 USC §102(b) as allegedly being anticipated by HALL et al. U.S. Patent No. 6,026,375. That rejection is respectfully traversed, for the following reasons.

The HALL method and apparatus is exclusively concerned with reducing a user's wait time when ordering goods and services in a mobile environment. It is thus not a shopping system as such, but rather an ordering system that takes into account factors such as a user's proximity to plural participating service providers, the available inventory at the service providers, and the order processing turnaround at such service providers.

As is apparent from the paragraph appearing at column 9, lines 51-55 of HALL, the process of the reference culminates with the user being presented with a single service provider that is deemed acceptable by the system (again, based solely on wait time-based criteria), which line item is presented to the user on a "take it or leave it" basis.

By contrast, the system of the invention was designed first and foremost to assist a user in more efficiently sifting through the tremendous amount of information that is available on public information systems such as the Internet. Although the system of the invention will surely save the users considerable time, it is not directed exclusively to the wait time based criteria as in HALL et al.

With particular reference to the language of the claims, the independent claim 1 provides that a retrieval information list is constituted on the information retrieval service terminal, and that the user terminal acquires this retrieval information list. The information retrieval request generated by the user relates to a commodity selected from this retrieval information list.

No such features are described by HALL. While the facilities database 372 (Fig. 3) includes information that might be called a list (see Fig. 4), there is no disclosure of such a list being provided to a user terminal.

As such, it is believed to be apparent that none of claims 1-4 are anticipated by HALL et al.

As to the new independent claim 5, the claim specifies that the shopping information referred to the user terminal by the information retrieval service terminal specifies at least one dealer who has the desired commodity for sale, and wherein the dealer is selected based on his having the item for sale at a

more attractive price than other dealers whose information is stored in the information retrieval service terminal.

Again, there is no suggestion of such a system in HALL et al.

The new dependent claim 6, which depends from claim 5, is even further remote from HALL et al., by specifying that the information retrieval request composed by the user indicates a plurality of different commodities that the user desires to purchase; and, furthermore, that the shopping information referred to the user terminal by the information retrieval service terminal includes a list of dealer who have the group of commodities for sale, and in which the list of dealers are selected based on an attractive aggregate sales price for the desired commodities.

The new independent claim 7 relates to that aspect of the invention wherein the information retrieval request composed by the user indicates not only the commodity that the user desires to purchase, but also location information as to the user's location or an area in which the user desires to shop (or both). Claim 7 further specifies that the shopping information referred to the user terminal by the information retrieval service terminal specifies a list of dealers, each of whom has the desired commodity for sale, with the selection criteria for the list of dealers in this instance being at least one of their location and competitive price.

Again, as noted above, no such system is disclosed or suggested by HALL et al., in which reference the system apparently decides what is best for the user and presents its conclusion in a take it or leave it manner.

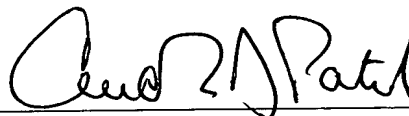
From the above discussion, therefore, it is believed to be apparent that all of claims 1-7 now pending in this application are free of the applied prior art.

In view of the present amendment and the foregoing remarks, therefore, it is believed that this application is now in condition for allowance. Allowance and passage to issue on that basis are accordingly respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON



---

Andrew J. Patch, Reg. No. 32,925  
745 South 23<sup>rd</sup> Street  
Arlington, VA 22202  
Telephone (703) 521-2297  
Telefax (703) 685-0573  
(703) 979-4709

AJP/psf